

LARRY W. CALHOUN, )  
)  
Plaintiff, )  
)  
v. ) No. 1:05-CV-155 CAS  
)  
)  
JO ANNE B. BARNHART, )  
)  
Commissioner of Social Security, )  
)  
Defendant. )

This matter is before the Court pursuant to the Report and Recommendation of United States Magistrate Judge Fredereick R. Buckles, filed December 16, 2005. See 28 U.S.C. § 636(b). Defendant filed a motion to remand the case on December 5, 2005. The Magistrate Judge recommended that the Court grant defendant's request to remand the case for further administrative proceedings pursuant to sentence six of 42 U.S.C. § 405(g), to direct the Appeals Council to instruct an Administrative Law Judge to conduct another hearing de novo.

Accordingly,

**IT IS HEREBY ORDERED** that the Report and Recommendation of the United States Magistrate Judge is **sustained, adopted** and **incorporated** herein. [Doc. 11]

**IT IS FURTHER ORDERED** that pursuant to sentence six of 42 U.S.C. § 405(g), this case is **REMANDED** to the Commissioner for further administrative proceedings, as set forth above.<sup>1</sup>

A handwritten signature in black ink, appearing to read "Charles A. Shaw", written over a horizontal line.

**CHARLES A. SHAW**  
**UNITED STATES DISTRICT JUDGE**

Dated this 28th day of December, 2005.

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<sup>1</sup>It is the Commissioner's duty to file with the district court the results of the proceedings upon remand. 42 U.S.C. § 405(g).